VOLUME XXXII. ... NUMBER 273

The Supreme Court of West Vir glaia, Aroused to Wrath,

flies at the "Intelligencer" and the Republican Party

In a Decision Which Slaps the Legislature in the Face,

Benies to Every Citizen Right of Trial by Jury

And Encourages the Lowest Courts

to Harats the Press, Or Deprite Individuals of Their

Liberty and Property. Appealed to the High Court of Public Opinion.

raterlay.

Ine case has excited general interest throughout the State, and hrs been freely discussed by the newspapers of the country. The comments in this city on the action of the Court, in overthrowing

HISTORY OF THE CASE.

Contemptuous Article and Mr. H

in the INTELLIGENCER the following ad

and right. This is, in effect, what was

purpose of the court should be made pub-lic, and publicity may induce the court to change its mind, just to show that some-body has been taking liberties with the

This article was based primarily on the

Parens affidavit, and on common rumor re lating to the general subject of the supple mental assessment order, the attitude of the State administration with regard the reto and the common understanding that the State officers had been advised by the Su-

June 25, H. M. Rersell, Eeq., attorney for the auditor in the supplemented assessment case field a petition in the Supreme Court of Appeals reciting the editorial article from the INFELLIGENCER of June 18, seiting forth that "That article has every spearance of an attempt to affect the decision of the court in the case of Miller va Backnam, and to intimidate it into deciding sgainst the relator;" laying the matter before the court and declaring that he should "not feel called upon either to engrest to the court what it shall do in the matter, nor to take part in

this decision of the Supreme Court, and suggested that the law should be made to minication was presented in open court, peat the whole of any of the conversations of the suggesting, but thought that your part, or in consulting er conversing at that time in the session a proper bill could not be passed, while some thought that in view of the decision of the Court of its, of cause, desirable that my clients that in the registration was unconsulting er conversing that further legislation was unconsulting er conversing to the whole of any of the conversations verbating; but I think I have given the substance of all of them, so far as they bore it is, of cause, desirable that my clients think you are correct in saying that least record that further legislation was unconsulting er conversions.

cured on a device of this kind before given ng it to the world. The irreducible school and was exhausted; the State owed \$140.

necessary. They all, however, approved of the suggestion that the Governor should address such a letter so he alterwards wrote to the Auditor, and that the Auditor should issue a circular to the Assessors, in-

MR. RUSSELL'S STATEMENT.

Mr. Hubbard then read to the court the reply of Mr. Russell, as follows:

WHERLING, W. VA., July 20th, 1884.

WHERING, W. VA., July 20th, 1884.
Dran Size:
There has just been handed me your letter of this date, referring to the rule issued by the Supreme Court of Appeals against Frew, Campbell & Hart, suggesting that you had information leading you to suppose that you had information leading you to

The Supreme Court of Appears

The Supreme Court of the Intelligence consistency of a nice, handy, into been a select affair. The Governor, the Auditor, which I or, so in a select affair. The Governor, the Auditor, which I

whole thing. The Judge replied that what sell's instance—
I had said at our last interview about interprisonment had struck him as very proper, it. I understand Mr. Russell in his letter but that, at any rate, the circumstances which I related to him would be sufficiently the record with averything you ssell clent, upon being brought to the attention of the court, to prevent Mr. Har's im-prisonment. I then said I would go en with the proceedings as I had at first pro-posed to do. We then had some conver-

Makes a Remarkable Statement. On Saturday, June 25, John Frew and C.

B. Hart, made answer through their attor

neys, W. P. Hubbard, Esq., of Wheeling and John A. Hutchiuson, Esq., of Parkers

and John A. Hutchinson, Esq., of Parkers-barg.

Judge Johnson—Gentlemen, are you ready to make your return to the rule itsoed a few days ago?

Mr. Hubbard—If the Court please, the returns shows it was executed by delivering a copy to Mr. Frew and Mr. Hart; further that it "was not served upon A. W. Campbell because he was not in the city of Wheeling on that day, and to the best of my information he lass not been in this

WHEELING, WEST VA., TUESDAY MORNING, JULY 8, 1884.

The foregoing was prepared immediately apon the receipt of your letter and without conference or consultation with any

ant, as your honors will see, to those called ant, as your honors will see, to those called upon to answer this rule to know at whose instance the rule in reality issued. The order of the Court, I believe, dees not that on the 23d day of June, 1884, being which the called th

ord to show that this proceeding is at the instance of the Court and not at Mr. Ras-

prietors or publishers of the said Wheelin

s INVILIONNER, or in anywise connected or therewith.

Third—That the matters complained of in the said rule or communication did not constitute misbehavior in the presence of the court, or so near thereto, as to obstruct or interrupt the administration of justice, or violence, or threats of violence to a judge or officer of the court, or to a juror, witness or party going to, attending or returning from the court, for or in respect to any act or proceeding had or to be had in any such court in the official character, or disabedience or resistance of any officer of the court in the official character, or

in the cases herein before stated.

Fourth—That on the 18th of this present in alt of June, and before that time, this raspondent had no knowledge, information or belief that the case of The State of Real Virginia exrel Joseph Miller, Auditor, vs. T.

II. Buchanan, Assessor of Brooke County, noon a pelition for mandams, was in the said Court of Appeals pending and undetermined; or that said case involved the constitutionality of the exemptions contained in section 43 of chapter 12 of the Acta

Wherefore this respondent respectfully Wherefore this respondent transcribed submits that the said rule to show cause submits should not be attached for contempts should be discharged.

John Frew.

W. P. HUBBARD,
JNO. A. HUTCHINSON,
Attorneys for respondent, ate of West Virginia, Ohio county, to John Frew, the respondent named in the oregoing answer, being duly sworn says but the facts and allegations therein conined are true, except so far as they are serein stated to be upon information, and hat so far as they are therein stated to be pan information, he believes them to

this 28,h day of June, 1884.

J. R. Cownen,

Notary Public in and for Onio county,

West Virginia.

Mr. Hutchinson—The answer of Mr. Hart is here, sir. Shall we read it? Judge Johnson—Read it, sir.

Mr. Hart's Answer, Mr. Hutchinson then read the answer of Mr. Hutchinson then read the answer of Mr. Hart, together with the affidavit and letter mentioned therein, as follows: In the Supreme Court of Appeals of West Virginia. In the matter of the rule against John Frew, A. W. Campbell and C. B. Hart.

PIECING OUT. series of the "This statistic has every to the act of little was all courts in the case of little was and closely the little court of many documents of the court Stire Up the Animals by an Attack
John Helly, made a sor pulsion of John Kelly, Tammany Hall and all factions inimical to Democratio in-

Virginia delegation.

West Virginia is very likely to go over to Cleveland as a body after the first or

correspondent to night "that under no circomstances could be do anything for Oleveland. McDonald, Randall, Rayard, Flower or any other good man can carry

Sorrow, Sighs and War Paint in the West Virginia Delegation.

CHICAGO, ILLS , July 7 .- To-day has seen n rely a repetition of the scenes of conusion and distraction of yesterday. Kelly's arrival, it was hoped, would tend to settle many chief's repugnance to Cleveland is rrepressible, and neither esjoling, nor

his morning he reiterated his statement."

light crystalizing the Cleveland following from the convention?" and also on fidently asserted Cleveland and the a tielegram from Mr. Manning Dunald will be the ticket. Flower, Field, Slocum and the large stud of dark horses you (I) should answer Barnum's telegram have been turned loose to browse for themselves.

The Ohlo Delegation.

CHICAGO, July 7.—The Ohio delegation has been caucusing for the last twenty four nours in the hope of uniting the delegation and presenting the name of Thurman.
John R. McLean, it is understood, consented to concede this point if he was made
chairman of the delegation. He was
unanimously chosen and will support
Thurman, if it suits him.

eonard; Permanent Organization, Geo. W. Thompson; Resolutions and Piatform, Henry G. Davis; Credentials, Wesley Molloban, Vice-President, Frank Hereford. Lewis Saker was unanimously elected to National Committee. Col. Campbell ar-

the disaffection existing among the Der crats Blaine will carry West Virginia. The West Virginia delegation took a ba ot this morning, as follows: Cleveland 4 Bayard 3, Randall 3, Thurman 2. Bake was yesterday a strong Randall man be was yesterday a strong Kandali man but to-day is as strong for Cleveland. The New York county, the Irving hall and the Tammany Democracy this afternoon were closseted for aseveral hours with the West Virginia delegates for and against Cleveand. To morrow morning the California Democrats will confer with them in rela tion to Justice Field.

Over forty West Virginians came in this morning. There is a great scramble for tickels among them, and some bad blood is the result of disappointment. J. P. St. Myers is Sergeant at Arms of the West Virginia delegation.

the delegates to day in order to piece out he supply of tickets: Delegates at-large Lewis Baker, Joseph Vanmeter, B. F. Har ow and D. H. Leonard. Alternates, John Birch, E. J. Davis, Randolph Stalnaker, Joseph B. Neal. First Congressional Dis nell: alternates. A. Woodward, J. Crawford nell; atternates, A. Woodward, J. Grawidra. Second Congressional district—Delegates, Hon. H. G. Davis, Charles E. Welle; alternates, W. G. Brown, Jr., J. E. Walson. Third Congressional district—Delegates, W. Melly, Bernates, Harafard, alternates, alternates, alternates, alternates. W. Moliohan, Frank Hereford; alternates, H. S. Walker, E. O. Hogg. Fourth district —Delegates, G. W. Thompson, Charles T. Beall; alternates, E. T. Carpenter, Lowis

GOVERNOR JACKSON

the rooms of the West Virginia delegation

tegrity. a 113 Democratic party go to

to Dieveland as a body where the first or second ballot.

George Tingle is here from Montana stirring up things pretty lively for the most available candidate.

If Thurma, 's name does not go before the

Cleveland and McDonald Predicted upon the several State Conventions of the country. The resolution was defeated by the men on the country. The resolution was defeated by the men on the country. The resolution was defeated by the men on the country. The resolution was defeated by the men on the committee who had got places there by trickery.

On Account of his Lung Power,

Chicago, July 7.—Gov. Hubbard, of Pexas, has been chosen Temporary Chairman of the convention on account of his lung power, it being estimated he is the only man who can fill the hall with his voice.

Tilden Expitelity States That He Will

authentic copy of a communication to Mr. Barnum, Chairman of the National Committee, from Mr. Tilden :

GREYSTONE, July 6, 1884. To Hon. Wm. H. Barnum, Chicago, Id.: I have received your telegram informin scrept an unanimous nomination from the convention?" and also

explicitly answered in the negative by my letter of Jone 10th. PORRING THE LINES.

the State Delegations That Have D

Chicago, July 7.—Very few of the States which perfected an organization to-day preferences. The position of Pennsylvania is known to be for Randall, Dalaware for Bayard and Indiana and Kentucky for McDonald. It is given out that Connectiland. I owa to-day took a vote and will on an informal ballot give Cleveland 21, Bay-

Vermont instructed her chairman to cast the vote as a unit for Gleveland. Massa dent is problematical. We want a man chusette is solid for Butler, but, in the event of his defeat, the delegation will be divided between McDonald, Thurman and "Yet; two—Bayard and McDonald."

delegation is in a measure healed. I declared that McLean will be chosen ch

CHICAGO, ILL., July 7.—The Democratic noon today, Chairman Barnum, Kfesiding. Mr. Barnes, ofGeorgia, nominated storm of objections and the real fight was augustus O. Bacon, of Georgia, for temporary chairman of the Convention. Mr. Stockale, of Texas, nominated Governor attacked Cleveland's availability and intiRobert B. Hubbard, of Texas. Mr. Martin, mated a bolt might occur if Cleveland's of Missiesippi, nominated Charles E. nomination was forced upon them, but Hooker, of Missiesippi. The Committee finally cooled off and said they did not a reconsided to hallet with the following rereconsided to hallet with the following reproceeded to ballot with the following re-sult: Whole number of votes cast 37. Hubbard received 22, Bacon 9, Hocker 6. On motion of Mr. Prince the nomination

west virginia is very likely to go over

West virginia is very likely to go over and the question was whether that numb could be mustered. There was a long dis-cussion, the tenor of which has not yet, been learned. Rumons of the result of the balleting crept out from time to time but

To be Made in the Convention Against the Unit Mule. CHICAGO, July 7.—The threat that has been vaguely made heretofore of an at-

The New York Delegation Adopts the Unit Rule

The Unit Rule

Who Threatens to Kick Out of the Traces of Restraint

The Convention Does Not Quash the Proceedings.

The Convention Does Not Quash openance of the Proceedings.

The Convention Does Not Quash openance of the Convention Which will be idea by Santha the Convention which will be included the Convention which will be included the Convention which will be included the Convention will be fatal to Democratio hopes. Mr. Kelly will be a convention be a convention of the Convention Which the Convention which can and Colored the Convention which can and Colored W. P. Thompson as a receipt for old score. The Convention will be fatal they are not opposing discrete on the Convention of the Convention will be fatal they are not opposing the content the Convention will be made in the Convention will be made the Convention will be made the Convent are not opposing Cleveland, and that if the unit rule is defeated throse who went over to Slocum will return to Flower and make it a railying point for his supporters. A causens was held to day in John Kelly's room with the purpose of organizing a campaign against the unit rule. Mr Kelly contends that the National Convention of 1803 ordered that the unit rule could be dispensed with any time at the option of any subsequent convention. As a result of the caucus it is declared that Messachusetis, Iowa, Kanasa, Dalaware and other States have decided to support the proposition on the floor of the convention. The Massachusets delegation held a meeting this afternoon which was addressed by General Butter in which he said: "I will support the nomines of this ceaven-

the day was the struggle in the New York favor of the unit rule, it was argued, would force the Tammany opposition into a cicse corner. But notwithstanding what appeared to be a famous victory of the Clevelar d followers very few lea lets were willing of concede the untrammelled successof Clevelland in the balloting, owing to the fierce nature of the struggle and a fallure of a portion of the delegation to come out openly for a majority candidate. It has been acknowledged had the caucus ended with a certainty that New York would cast her full vate for Clevel and sufficient Western and Southern streegth would be at hand to make his nomination size. The fact of a lack of unanimity in the delegation is now being used by the friends of other candidates in pressing their claims for recognition. Cleveland's managers are in high leather, however, and claum 13 a result of the day's work the fight her already been won and that it only requires the sitting of the Convention to each the victory.

Fammany Will appeal to the Conver-

Cuicago, July 7 .- In an interview with Times reporter immediately after the adournment of the caucus of the New York delegation this afternoon John Kelly said: "If the delegation does not reconsider its action and still insists upon presenting Cleveland's name Tammany witi appeal to the convention. We shall state our case there clearly and plainly and attempt to have the unit rule broken. If the convention releases to do it was

with it. We will have done our duty."

"Whom else can New York present?"
asked the reporter.

"Siccum," replied Kelly,

"Would he make a strong candidate?"
"I don't know. Tam not clear on that
point. He is popular in the State and has
made strong runs, but whether he would
be a good man for President, I can't say,
The fact is, we want a candidate who has
been enough identified with the National Government, and who has had
experience enough to be called a statestman. Cleveland made a good Mayor, and
good Sherif; but as Governor he has been
a failure. Siccum has made a good Congressman, but how he would do as President is problematical. We want a man of
wide experience and broad yiews."

"Are there any here who would fill these
requirements?"

A COMPROMISE

n the New York Camp, and How It w Chicago, July 7.—In regard to the cancus of the New York delegation the Daily News ing failed to break the Cleveland column the next move of his opponents was to smash the unit rule. It had already been decided by Kelly's followers that this should be attempted as a last resort. When the motion made to resort. When the motion mad cast the asventy-two votes of New as a unit for Oleveland it was met

mean it. Then they declared the unit rule
was an injustice and that they would not be
bound by it. Grady declared the State
had no right to instruct delegates from dis-Hubbard received 22. Bacon 9, Hooker 6. On motion of Mr. Prince the nomination of Hubbard was made unanimous. On motion of Mr. Hewitt Mr. Prince was elected the nomination motion of Mr. Hewitt Mr. Prince was elected the nomination. The following were elected assistant, secretarises: E. L. Merritt, Illiandi; Gen. W. Guitrie, Pennsylvania; G. L. Johnson, Iowa; Robert M. Bashiord, Wisconsir; Charles M. Vallandingham, Missouri, Henry J. Lynn, Tenneases; Michael J. Barrett, New Jersey.

The committee decided to recommend to the Convention that the rales of the last Democratic Convention govern this body until otherwise ordered. The following modification was made: "That in voting for candidates for President and Vice-President no State shall be allowed to change its vote until the roll of States has been called and every State has cast its vote." As a result of a long discussion the committee decided that undetached coupons will not be accepted for admission to the Convention hall. The Committee adjourned till 10 o'clock to-morrow with no anticipation of having any business/on hand.

THE URIT RULE

Mast were North Cleveland Carries Mast were selected in the meeting as having a very important bearing on the final action of the Convention the State entered in this meeting as having a very important bearing on the final action of the Convention hall. The committee action met at 110 clock and continued in session four hours. Great interest centered in this meeting as having a very important bearing on the final action of the Convention the 2 vote a are as a following not be not not the convention. This was conceded and an day to take the opportunity of proposed the service of the other was another exciting discussion the session four hours. Great interest centered in this meeting as having a very important bearing on the final action of the Convention of the Vote are are as for Cleveland, and 23 for Bayard, Flower and Slocum, but that under the instructions of the State with a throng of people anxious to eccure early ti

voting against it. Johnny McLeau Wills Cuicago, July 7.—The Ohio delegation

met at 3 p. m. John R. McLean was unanimously elected chairman, A. S. Shields a member of the Committee on Credentials, Durbin Ward member of the d. convention he will be permanent Chairman. It is generally conceded that it nothing supervends Olsysland and Mo. Donald will be the toket.

TARBANY HALL.

WILL Support Cleveland Under Aby Chroumstaces.

WILL Not Support Cleveland Under Aby Chroumstaces.

Special Dipolach to the Intelligencer.

Circumstances.

WILL Support Cleveland Under Aby Chroumstances.

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Special Dipolach to the Intelligencer.

Circumstances.

Circums

living near the Kingman county line, were burned to death yesterday. The mother left the children at home and went to a neighbor's on an errand. Unon

other good man can carry tempt to defeat the unit rule was renewed she found the house in flame. The children is the most proming with great yight this afternoon and it is dren were burned to a crisp.